

## ***FWP COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** June 5, 2013

**Agenda Item:** Lena Lake Bag Limit Waiver

**Division:** Fisheries

**Action Needed:** Adopt Final Rule

**Time Needed on Agenda for this Presentation:** 5 minutes

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### **Background**

At its May meeting the FWP commission proposed a rule waiving the daily bag limits for trout in Lena Lake, a 74-acre lake located at the headwaters of the Big Salmon drainage in northwest Montana. Lena Lake is a part of the South Fork Flathead Cutthroat Conservation Plan's initiative to replace nonnative fish (rainbow and Yellowstone cutthroat trout) with pure westslope cutthroat (WCT) in 21 lakes in the South Fork Flathead drainage to maintain WCT genetic purity. The project to date has successfully chemically treated 11 lakes and six more lakes are being aggressively stocked with genetically pure westslope cutthroat ("genetic swamping"). Lena Lake is scheduled for chemical treatment in September, 2013. The proposed bag limit waiver would allow more opportunity for anglers to harvest trout before they are subject to removal through chemical treatment. The current bag limit is three trout per day.

### **Public Involvement Process & Results**

FWP invited the public to comment on the proposed bag limit waiver from May 10 - 21. FWP received one comment, which was in favor of the proposed bag limit waiver. This is consistent with the positive comments that FWP has received for similar bag limit waivers prior to chemical treatments associated with this project.

### **Alternatives and Analysis**

The commission could leave in place the current bag limit regulations (three trout daily and in possession) that apply to all waters in the South Fork drainage. This would put less demand on the Enforcement Division to determine from which lake fish were harvested. This alternative would not allow the public to maximize harvest before the treatment, which creates "waste" in the public's mind.

### **Agency Recommendation & Rationale**

FWP recommends temporarily waiving bag limits on Lena Lake. This would satisfy the public's desire to minimize the waste of fish. The limit waiver would also build public support for the program. There have been no known problems with previous limit waivers. The limit waiver could create enforcement problems for the reason that other waters in the drainage would not have limit waivers. FWP does not anticipate this to be a significant problem.

### **Proposed Motion**

I move to adopt a rule that removes the combined trout daily and possession bag limits for Lena Lake, effective immediately and terminating on August 31, 2013.